

PLANNING COMMISSION MINUTES

August 11, 1999

CALL TO ORDER: Chairman Maks called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman Dan Maks; Planning Commissioners Sharon Dunham, Charles Heckman, Eric Johansen, Vlad Voytilla. Commissioners Don Kirby and Tom Wolch were excused.

Staff was represented by Development Services Manager Irish Bunnell, Associate Planner Colin Cooper, Transportation Engineer Randy Wooley, and Assistant City Attorney Ted Naemura, and Recording Secretary Mary Ann Gray.

NEW BUSINESS

PUBLIC HEARINGS

Chairman Maks opened the public hearing and read the format for the meeting. There were no disqualifications of Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items.

A. SV980001 – FIRST BAPTIST STREET VACATION

(Request for continuance to October 20, 1999)

Request to vacate a public right-of-way between properties owned by the First Baptist Church of Beaverton at 5755 SW Erickson Avenue. The Applicant requests to vacate the unnamed roadway of approximately 540 lineal feet by a width of 25 feet. The site is within the R-7 zone. The site is located on the west side of SW Erickson, north of SW Allen Boulevard and south of SW Berthold, and is approximately 4.03 acres in size. Map 1S1-16DC; Tax Lots 4700, 4800 and 4803.

Commissioner Johansen MOVED, Commissioner Heckman SECONDED for continuance of SV 980001 to a date certain of October 20, 1999. The question was called and the motion CARRIED unanimously.

B. CUP990003 – GRAMOR MURRAY SCHOLLS

(Continued from August 4, 1999)

Request for a Conditional Use Permit approval for a Planned Unit Development (PUD) on 21.2 acres of the former PGE site on the northwest corner of SW Murray Boulevard and SW Scholls Ferry Road. The PUD request is to be in multiple phases to include proposed retail, office uses, restaurants, and approximately 20 townhomes on the northeast corner of the site. Proposed access points include one on SW Murray Boulevard and three on SW Scholls Ferry Road. The Applicant also requests Design Review approval for approximately 165,250 square feet of the commercial use center. The Design Review request includes review of nine new buildings and TWO existing buildings to be remodeled. The development proposal is on Tax Lots 100 and 800 of Assessor's Map 1S1-32DA and is zoned Town Center – Sub Regional. The site is within the R5, TC-SR, L1 zone. Map 1S1-32DA; Tax Lots 100, 500, 700 and 800, and Map 1S132AD; Tax Lots 800 & 900.

The following representatives speaking on behalf of the Applicant were introduced:

MATT GRADY, Gramor Oregon Inc., 9895 SE Sunnyside Road, Suite P, Clackamas, Oregon 97015.

STEVEN ABEL, Stoel Rives, LLP, 900 SW Fifth Avenue, Suite 26000, Portland, OR 97204.

BARRY CAIN, Gramor Oregon Inc., 9895 SE Sunnyside Road, Suite P, Clackamas, Oregon 97015.

RANDY McCOURT, DKS Associates, 921 SW Washington, Suite 612, Portland, Oregon 97205.

Mr. Abel stated that his purpose was to bring closure and respond to previous testimony and put it in context. The philosophy of town centers is that they develop as a function of time. This is currently a redevelopment site and we did not want to preclude opportunities for further development of this site. This is a unique site in the region as it does have redevelopment capabilities. The application meets current needs and has the possibility of meeting future needs. Redevelopment can only go as far as to satisfy the demands of the community. This current development is proposed to develop it to the maximum extent possible today. It could be designed as a big box, but it has been developed to redevelop to current needs and left options for future redevelopment. These redevelopment issues are important, but also need to look at market realities and realities of this site including constraints of development. What is unique with this site is that it has housing, office and commercial/retail. A town center has a mandate for all those components and all of these are on one site. This is a move forward from others in this region. Secondly it is important to consider that this is being proposed as a PUD. The PUD consideration is different than a conditional use consideration. This is an important part of this consideration and need to carefully evaluate the PUD criteria. There are two criteria that are important, according to Mr. Abel. The first is a holistic approach to the PUD. The second important consideration is that there is a financial feasibility test. It has to balance with what you might want on the site and with financial feasibility. We must demonstrate that we are financially capable, but it requires that what we propose will be financially feasible. That is the context of how we view this site.

Mr. Abel further stated that over last year or two, Gramor has entered into discussion with staff regarding this site. Want to mention that we have made numerous amendments in response to staff's requests. These were noted on enclosure 4 of the August 9, 1999 letter from Mr. Abel to the Planning Commission. These represent a collaborative effort between the staff and the Applicant. One important thing that came out of this was a concern for timing. A concern was expressed by the staff regarding the 90 degree back-to-back parking. In response, Gramor proposed that on redevelopment they would remove that 90 degree parking. The changes will be implemented based on FAR thresholds to trigger future redevelopment changes of those roadway segments. Gramor felt they had resolved all of the issues with the staff until about a month ago. However, it appears the transportation staff continued to raise the issue of the 90 degree parking and the 40 foot access road on site. In his memo Mr. Abel stated their interpretation is that the code may have been misread as this code deals with public roads on corner lots and this site does not have public roads or corner lots in this particular circumstance. Mr. Abel stated that while the Commission may spend time on the details, he urged the Commission to look at the total request, especially with a view of the total context of how Gramor got to this position and with the offers for future development based on thresholds and input from professionals, in cooperation with the staff.

Chairman Maks noted that Mr. Abel's presentation was not his closing, but a follow-up to the previous hearing.

Mr. McCourt addressed issues that were raised at the last public hearing regarding the 40 foot access condition, 90 degree parking, depth of stalls along the interior roadway, access related issues and the west bound right turn lane on Scholls Ferry.

Regarding the 40 foot issue on an access which was designed as a drive-through that proceeds north bound, one way heading north. It was provided here so that vehicles can only go one way. The queuing issue is only one of those leaving the site. There is adequate room in that space to maneuver. The criteria that has been applied are for public streets; this is a private street and as the site developed, this drive-through would not be part of that FAR development.

Regarding the 90 degree parking issue on both sides of the roadway, Mr. McCourt stated this is an area constrained for parking and they did not want to export parking further into the site. Demand for the parking is in this area. The calming affects of having parking on both sides is indisputable. If redeveloped, the intent of the staff will be met over time. Mr. Grady and Mr. Cain distributed a handout of selected examples of 90 parking arrangements at five different projects: Sunnyside 205, 205 Place, Sunnyside Village, Sunnyside Marketplace, Sherwood Market Center. Mr. McCourt, stated that the key item dealing with this issue is that in the future; if the street becomes public, the conditions as written would be 100 percent met.

Mr. McCourt noted the next issue identified dealt with stall depth where there is 90 degree parking against buildings 1 and 3. The amount of sidewalk space is well beyond the minimum through most of the corridor, only a few places does the minimum exist. The key issue is one of safety of the street which was raised by staff. The shadow plat again, shows the parking will become parallel parking and the sidewalks are developed. The issue is that in the space identified, the stall depth is to provide a wider street width to act as a buffer and an added measure of safety for traffic. Mr. Cain, noted in the Sunnyside Village picture, with Movie House Video, that that sidewalk is 10 feet, and at proposed building 3 it goes anywhere from 20 feet to 60 feet.

Mr. McCourt then addressed the issues of access, first Scholls Ferry at the western access point and secondly access off of Murray. For the Scholls Ferry location, the request was a channelized left turn into the site to relieve amount of traffic disruption on Scholls Ferry Road. In letters to Washington County regarding the right-in right-out access, the same situation exists, without this additional traffic gets on Scholls Ferry. Mr. Grady introduced into the record that while Gramor worked on another project called Fishers Landing to obtain a right-out on a very busy street they went back to Washington County and City of Beaverton and the two letters received on their perception of this similar situation were distributed to the Commission.

Lastly, Mr. McCourt spoke to the issue of timing of improvements on Scholls Ferry. Concern is not whether it will be made or not, but timing. Concern is that as it is written at the approval stage.

Mr. Grady noted he had received the staff's response to Gramor's request to change Facilities Review Conditions. He stated that the prior presentation addressed most of them. He noted that Gramor agreed with staff that they would like to have the trail along the shore narrowed down from eight feet to six feet wide. He noted it was within the Commission's authority to grant that. The other item dealt with half street improvements from the westside of the project to Teal Boulevard deferred until the certificate of occupancy for the sixth new structure. Staff noted that they had no objection to this request. The other issues are ones that staff feels that the writing as the conditions have been written should remain. Through Gramor's response to the Commission this evening, they are not in agreement and request the plans for the 90 degree parking to be identified and the condition be amended to as shown on the plans as originally requested; also no access ways of parking within 40 feet of an intersection which Gramor feels does not apply in this circumstance; and lastly to shorten the depth of the parking stalls.

In response to Chairman Maks' question regarding the walkway around the pond, Mr. Grady reported that Gramor has basically maintained consistent standards of six foot wide paths. By doing that it has kept things standardized, which handles two way pedestrian and bike traffic. In the case near the pond, Gramor worked with homeowners to maintain several trees, and Army Corps of Engineers asked that all path be ten feet from shore. In order to do this, they had to move the trail and made it harder to deal with retention of a

number of existing trees. If there is a wider walkway it will jeopardize the maintenance of the existing trees.

Mr. Grady noted that Gramor also provided a proposed mix of uses for the development as requested by the Commission.

Mr. Cain asked about the timing and the issue with the sixth building to get site development permits to get going before the weather makes it difficult. Mr. Grady said they reviewed what was necessary to get the site development permit and the trigger is what improvements are in place when trip generations of the project reaches 4900 vehicles per day. When looking at other check points that could be used and have used in another circumstance which have been accepted by staff for another situation and request that this same condition be applied in this situation. Delaying this would mean Gramor could not get out on to the site until November or December.

Mr. Cain asked that the Commission realize that Gramor has worked at developing a high quality project because of their pride in what they do and because they wanted the project to go through without a hitch. They have spent time with staff and neighborhood groups and feel they have close to 99 percent agreement. The issues currently being discussed are small in relationship to the entire project, but important to the total project.

Chairman Maks thanked them for their presentation and asked for further questions of the Applicant.

Commissioner Heckman asked if Gramor accepts what the transportation staff have said as of the 9th, how many parking places would be lost. Mr. Cain, stated about 13 parking places would be lost, which is significant. In this area that is 10 to 15 percent, and with other changes they have given up to 40 or 45 places. Required minimums would not work from a marketability standpoint Mr. Cain stated. The only reason we have for this building is to hide the PGE site. The parking is critical in this area to the viability of these uses. He stated there is not a safety concern here. Mr. McCourt noted that if you take those stalls out, even with low minimums you fall below this building and you still have to serve the other two buildings. Commissioner Heckman, asked that in the future development when Gramor would lose parking because of the increases what would be done to supplement that lost parking? Mr. Cain stated it would be supplemented with structure parking, and that will happen when the market will allow it. Structure parking is \$30 per square foot, or \$10-15,000 per stall, depending on how large it is.

Commissioner Heckman stated his second concern was the right-in on Murray. Have looked at this site. Concern about racing and people changing lanes and seeing potential for a large accident. Regarding the example of the Marketplace right-in right-out, he disagreed with Mr. Grady. Mr. Cain responded that most people that come to this intersection should be stopping at the light.

In relationship to the eight foot path, Commissioner Heckman asked what is the width of the existing path on the north side of the lake? Mr. Cain responded that it was eight feet. Commissioner Heckman measured it at seven feet ten inches. He noted an increase in bikes on the trails and duplex strollers and as a result felt that two feet is critical. Mr. Cain reported they have been squeezed by the Army Corps' requirement of ten feet from shore, and to save the trees. Commissioner Heckman stated that there was an out within the code when it says structures or other natural impediments. He felt the trees would be saved by going to a six foot path, when it is a necessity, but he did not think the rest was a necessity. Mr. Grady stated that building 11 and patio were reduced to deal with the ten foot requirement and the ten foot requirement from the shore impacted the retaining walls required and if made wider, the trail would go within the no-build zone determined by the Army Corps of Engineers or it would undermine parking or landscaping. In the pre-ap conferences there was talk of a seven foot path, but Mr. Grady reported that since the Army Corp of Engineers' request, it seriously impacted the plans. Mr. Cain said where the seven foot, ten inch path is on the north side, it is right on the lake.

Commissioner Heckman asked where Gramor stood with the the Corps of Engineers permit. Mr. Grady said the permits with the Corps of Engineers, DEQ and Division of State Lands have all been signed off. There are some places where the trail could be brought up to eight feet wide.

Commissioner Heckman thanked the Applicant for the computer aided drawing.

Regarding the Teal connector, Commissioner Heckman asked how many vehicle trips will go across that Teal connector? Mr. McCourt stated 1300 trips per day. Current count in peak hour is probably 20-30 trips, daily might be anywhere from 200 to 500 per day, depending on the day. Commissioner Heckman asked what the precautions would be taken to make the speed safe. He noted that at the far end of that is an unloading place for kids. Concern there is for children. Mr. Cain said that is their concern there and they feel they must go slow. Mr. McCourt reported there are about five to six raised intersections or speed humps or tables around this site. There are some not shown. Commissioner Heckman expressed concern about that connection. Mr. McCourt reported there is one right at the property line at this location.

Chairman Maks requested input from the engineer on the bike path to address Commissioner Heckman's comments with regard to the bike path and how much proportion would be six foot, seven foot, eight foot.

TIM GASCHKE, Kurahashi and Associates, 12600 SW 72nd Avenue, Tigard, OR 97223. In front of building is potential area where it could be increased to seven feet without significant impact. It appears that 10 percent could be increased in width in this area.

MICHAEL ODREN, Christopher Freshley Landscape Architect, Landscape Design, 1020 SW Taylor, Suite 355, Portland 97205. Mr. Odren noted that another issue comes in to play regarding the width of the path--the confinement with space. The ten foot setback has cut into the buffer between path and parking lot. Have intense buffering in order to maintain separation between parking and pathway. If you widen the path and put in more walls this also cuts into buffer area. Commissioner Voytilla stated he understood that distance between the pond and the parking lot and asked why can't the road be moved over. Mr. Cain stated the plan utilizes every foot available, they are at a maximum of use of space even all the way through to the rowhomes. Mr. Grady reported that moving that two feet over would significantly impact all the other development structures, rowhomes, parking and yards for rowhomes. The Army Corps of Engineers' requirement had a significant impact.

Commissioner Voytilla, asked what will be the view of the townhomes. Using the displays, Mr. Cain, described the location of the townhomes. Commissioner Voytilla asked further questions about the relationship of the townhomes to the surrounding areas and yards.

MICHAEL LEE, Sienna Architecture, 411 SW 6th Avenue, Portland, Oregon 97204, drew a diagram illustrating the relationship of the rowhomes to the surrounding structures.

Commissioner Voytilla asked about building elevations and glass and store front frames. These will be buried Mr. Cain stated. In the graphic from Mr. Abel, building 7, a drive-in was eliminated; what was it for? Mr. Cain stated it was a consideration for a potential use. Commissioner Voytilla asked why this change was made? Mr. Grady noted that not all changes were as result of requests from staff. Commissioner Voytilla noted that as the Commission is looking for consensus, as there was earlier a drive-through on one building and now it is designed on another building, couldn't those buildings be switched. Mr. Cain explained that it has been looked at and the sizes do not allow it in the current configuration. Commissioner Voytilla requested whether or not a creative alternative could be found for the users of the buildings and a different configuration to accommodate the parking problems. Mr. Cain detailed the potential type of users for the buildings 3, 4 and 7. Also the heights of the buildings were discussed. The size of the building and parking all inter-related to the cost of the land and economics of the site. Mr. Cain noted that if building 4 was reduced to accommodate less parking it negatively impacts the fiscal feasibility of the site.

Mr. Lee reviewed his cross section showing townhomes in relation to parking field and landscaping. Parking field and lower road is between 26 and 30 feet depending on the site. These are three story townhouses, finished floors nine to ten feet per floor. Ground floor is parking. Shows about eight to ten feet for patio court yard, then a retaining wall, and then seven to ten feet of two-to-one slope coming up to meet the buffering and parkway. The site design is a function of the site and its limitations. If shifted two feet it would affect the courtyard. Mr. Grady said they do have room in the driveway of the garage and still have safe passage on the sidewalk.

In response to Commission Voytilla's question regarding the landscape and the existing trees, Mr. Odren noted that all of them are worthy of preservation. They are very prominent and all appeared healthy.

Commissioner Voytilla asked Mr. McCourt regarding the depth of the parking stall, should it be shorter or have over hang, etc., if people park where the wheels stop? Mr. McCourt stated that depends on the driver. If someone comes up too close, it does diminish that walking space. The key point is the size of the pedestrian space. Mr. McCourt noted where there is a narrow space the designers have placed areas to protect the walkway.

Commissioner Voytilla stated that in the graphic had been presented in the packet regarding potential future build-out of this project, are any of these buildings designed for possible build up? Mr. Cain stated not structurally at this point. Mr. Grady added that utilities coming into the site will be sized to accommodate increases and positioned in right locations for future redevelopment. Mr. Cain noted that it is difficult to know exactly what will be needed for the future.

A five minute break was taken and then the meeting reconvened.

Commissioner Dunham noted that regarding building 4, the construction and design of the building is for Gramor's benefit in order to hide the PGE facility behind it. Mr. Cain agreed with Commissioner Dunham's statement. Mr. Cain, added that Gramor was stretched out past their proposed time frame, and all buildings have been designed, drawn and in for permits and now it is even more difficult because they are so far along.

Commissioner Dunham stated that she had a problem with the Murray right-in and right-out. Her concern was because it is so close to the intersection. Concern because it requires crossing two lanes of traffic and makes it more hazardous. Mr. Cain stated the issue is not that they are coming out into traffic, but that someone who comes out and tries to stop traffic. When Murray eventually goes through that may be the case, but Washington County would have to review the situation and it may then be adapted. Commissioner Dunham expressed her concern about the proximity to the intersection in terms of standstill or flow of traffic. Mr. Cain, responded that at other sites of similar situations, if traffic is tied up on site, drivers will find alternate ways to deal with these situations.

The issue of double loaded parking around buildings 4 and 6 is was still a concern for Commission Dunham. She stated that she understood the one building has a type of activity for quick convenience type of businesses which would increase that activity. In relationship to Commissioner Dunham's question about width of the street, Mr. Cain stated he did not feel it is an issue because people know how to back up. On building 6 with the bank, with a one way only exit, Commissioner Dunham asked what would keep people from using it also for an entrance. Mr. Cain noted it was only a one way street with signage for traffic flow patterns. She also stated that she had wondered about flip flopping the buildings. Mr. Cain stated that Gramor had done everything possible to bring these to the Commission

with no problems noted by the staff. Mr. Cain noted that the drive-in on building 7 was tenant driven. Commissioner Dunham stated that she was still having a problem with the Murray right-in, right-out, specifically the right-out regarding the access issue.

Regarding the path, Commissioner Dunham verified that there was just a small percentage of the pathway that could be increased. Mr. Grady also suggested that if path was widened, then retaining walls would have to be increased, thus possibly increasing shadows and impacting the safety issue. Commissioner Dunham appreciated the drawing and seeing the relationship with the townhomes. Mr. Cain, noted there is very little of this development that has not been maximized, as they expect every square foot to be leased, so Gramor has spent the maximum amount to make it work.

Commissioner Johansen asked why is the signal at the middle access on Scholls Ferry? Mr. McCourt stated this was chosen to get spacing between Teal and Murray and almost in the center. This was a County and Gramor recommendation for this location. Main north/south spine seems to be the access. Commissioner Johansen asked if Gramor would still feel the same if there was a change and there was no right-out onto Murray? If the Commission did not agree with the right-out, would you prefer to have a signal at another location? Mr. McCourt noted that by locating where planned the entire area would have controlled access. Mr. Cain, noted that nothing changes if there is no right-in, right-out except for the convenience of the customers. Mr. Cain noted they have found in other similar situations, safety has not been a problem. Commissioner Johansen asked if Gramor could control that access for certain times of the day? Mr. Cain stated the only way he knew of to handle that would be by using a gate for certain periods of the day. Commissioner Johansen stated he was sharing the concerns of the other Commissioners regarding that access.

Commissioner Johansen addressed the circulation on the site, slow speed is good, but also if too slow, people would find other solutions. He agreed with speed tables but would not want it too slow. Mr. Cain, agreed as it will be customers who will be impacted as well as the Murray Hill residents. Commissioner Johansen noted his pleasure that building 7 does not have a drive in.

Chairman Maks, in follow-up to Commissioner Johansen's question, asked Mr. McCourt, based on 10 mph, how long will it take to get from Teal entrance to retail building 4. Mr. McCourt, responded approximately 120 seconds, and Mr. Cain noted that would increase with stopping at the stop signs. Mr. McCourt reminded the Commission that this access is being used to service the northern and the eastern part of the site, not necessarily service the far western part of the site. Mr. Cain reported it is realistic for it to take a couple of minutes. Chairman Maks noted that if it is too slow it will impact arterials rather than local use.

Chairman Maks, asked for site size for the Sunnyside 205 project. Mr. Cain stated it is 53,000 square feet for the main center but other centers are around it; for 205 Place, 6.5

acres, Sunnyside Village, 8 acres; Sunnyside Marketplace, 12 acres; Sherwood, 14 acres; and for this site about 21 acres. Mr. Cain asked the Commission to keep in mind that at the other sites there are developments next to it that were not Gramor owned but are associated.

Chairman Maks thanked Mr. Abel for his exhibit. This is very important to the mix-use concept and Chairman Maks stated he would like this incorporated in some fashion as part of Gramore's application as there must be a mix of usage. Chairman Maks stated he had two issues. He did not have a problem with the percentages, but had a concern on how to trigger them and view them over time. There used to be percentages for mixed use in transit overlay districts. Mr. Abel stated these figures are based on Gramor's expectation of this site and feel they can live with them. Mr. Abel stated they did not feel it had to be a condition of approval but that was up to the Commission. Chairman Maks stated it was a significant issue as services, office/commercial are one of the largest promoters of transit. Mr. Abel noted the difficulty is that the first user on site does not get to the transit threshold. Chairman Maks, understood that but had an issue as to when it would be impacted as the phases are developed. Mr. Cain noted that when the development goes into phasing the increases will either be in residential and service, not retail. Mr. Abel noted in relationship to the phasing, we are talking about a whole town center, and no one knows exactly what the future will be. Chairman Maks' concern was that if it takes 15 years to come to fruition, then are we still supporting bike and transit usage on this site.

Chairman Maks called for follow-up questions of the Applicant. Commissioner Heckman noted that on the path width, you have shown some reluctance and some impossibility in certain areas to increase the path width. That would have to be negotiated with staff. The drawing furnished regarding the access off of Murray appears to be a right-in only? Mr. Grady stated it shows a right-in only and Gramor has in the formal package the option for right-out, this is not construed that is what we are asking for. Commissioner Heckman stated that the Applicant had indicated that the Teal to Murray problem is no problem or the right-out onto Murray is no problem even with high speed, but what about the light at Osprey that stops them. Also Commissioner Heckman noted that Gramor representatives had mentioned speed tables, but do not have any on the drawings presented. Mr. Cain agreed that this needed to be added to the drawings. Regarding the timing of phase D, Mr. Grady, reported phase D is for rowhomes and will follow building 5. Commissioner Heckman noted that Gramor representatives stated they wanted to get all dirt digging at once with one shot. Mr. Grady agreed. Commissioner Heckman noted if you plan to do all your dirt moving you will have to either to do some serious planting to prevent erosion or have to get some buildings very quickly, which choice have you made? Mr. Grady stated they will do the extensive planting.

Commissioner Voytilla stated that the last meeting the letter from Tri-Met was discussed, since then has then been discussions with them regarding their concerns? Mr. Grady stated they have not had any discussion.

Commissioner Voytilla questioned the numbers of residential units. Mr. Cain noted that in looking at the full potential the economics did not warrant it. Commissioner Voytilla asked if a reconfiguration on the site such as stacking on top of other existing buildings had been considered? Mr. Cain noted that when residential is placed on top of other types, such as retail, it does limit future development. In response to Commissioner Voytilla's question about other configurations on the currently proposed site that would increase density, Mr. Cain said it was not feasible.

PUBLIC TESTIMONY:

JACK YOUNG, 10770 SW Heron Circle, Beaverton, OR 97007. Mr. Young stated that he did not believe there needed to be any additional residential opportunities in this development as there is already too much now, and this configuration addresses the current needs in this area. He stated that focusing on the details is important but it can lead to missing the overall picture. He added there is another nearby intersection which is much worse than the one the Commission is addressing. He urged the Commission to look at the overall project when considering the right-in and right-out and its affect on the circulation of the project. He urged the Commission to encourage Gramor to develop as soon as possible.

QUESTIONS OF STAFF OR COMMENTS:

Mr. Colin Cooper noted that Mr. Randy Wooley, City Transportation Engineer, would address the issues in Mr. Abel's letter. Mr. Cooper clarified that during Mr. McCourt's comments regarding the volume of traffic in front of Buildings 1 and 3, he mentioned volumes of approximately 1000 trips per day. Mr. Cooper noted that Gramor's report references volumes of 2500 trips per day. He also pointed out that the Tri Met letter is not a routine letter for that agency. In response to Washington County transportation issues, Mr. Cooper noted that the City does not have the authority to change those conditions. Regarding the traffic table noted by Commissioner Heckman, while it is on the digital picture it is not on the site plan and he recommended that if the Commission desired that speed table be installed that it be a Condition of Approval. He also offered a compromise to the eight foot pathway by altering the parking west of building 11 as it would be possible to decrease the parking stalls by two feet to 15 feet in depth. With regard to the location of the speed table Mr. Cooper stated that based on the discussion it would at the north edge of the property line where the property extends to the bank parking lot, and he suggested that it be ten feet or eight feet minimum to match up to other trails.

Mr. Wooley, City Transportation Engineer, noted the concern about condition 1c on the requirement for improvements to the right turn from Scholls Ferry to Murray which is triggered by the 4900 vehicles per day. He noted that this was a Washington County request, but he did not think the County felt that needed to be completed before the Site Development Permit. He suggested the following language change to accomplish that: On Page 11 of the Facilities Review Conditions change 1c to number 13 and add to the

beginning the following words “The Applicant shall construct signal improvements to Scholls Ferry Road”... etc. and delete the next-to-the-last sentence that says “Design shall be submitted prior to issuance of Site Development Permit.” He noted these changes should satisfy the Applicant’s request and remain consistent with what the County was looking for.

Regarding access to Scholls and Murray as noted by Washington County, Mr. Wooley noted these could not be changed except by the County. However, he noted that the conditions in the Facility Review were written so as to allow flexibility if the County is persuaded to change on either of those. Mr. Wooley also verified the proposed location of the speed table and felt it was a reasonable location.

In response to Chairman Maks, question of staff, Mr. Bunnell reported on the old codes for transit that residential and office provided the highest mode split for transit and retail provided a much lower mode split. Based on that and Mr. Abel’s suggestion for the percentage of uses, Mr. Bunnell developed a possible condition for the mix of uses. Mr. Abel noted the language as offered was agreeable, but the Applicant wanted their percentages included.

QUESTIONS OF STAFF:

Commissioner Voytilla’s questions:

In relationship to Commissioner Johansen’s concern to internal circulation and dovetail that to his question of access at Teal, he asked staff if there would be a potential benefit to have a left turn lane at the access road when it comes to Teal? Mr. Wooley said generally yes, but said that it was close to the shopping center on the north and have not looked at that issue in detail and as a result was not prepared to answer that. Assuming the spacing would be adequate, would that make the access of this internal road more desirable for people to use? Mr. Wooley said he would have to look at the traffic study, not sure a lot of traffic in that direction, but felt there would be more volume the other direction.

Commissioner Voytilla asked the purpose of the three sites that were presented in the video at the previous meeting. Mr. Bunnell explained it was to give the Commission a view of other treatments used in the area since the sub-regional zoning is different. Mr. Bunnell further commented on the Teal extension, if it widens as it gets to Teal that could be problematic and there are extensive wetlands at that location.

No comments from the City Attorney.

Public portion of the hearing was closed.

Chairman Maks, asked for consensus on the following issues prior to presentation of a motion. The Chairman identified the following issues:

- Right-out on Murray

- Left in from Scholls Ferry
 - Pedestrian pathway width
 - Mr. Abel's letter of concern:
 - B-1 transportation CUP condition 1a (staff saw no objection)
 - B-2, CUP condition 4, 90 degree issue
 - B3, 40 foot issue, CUP condition 5
 - B4, size of parking stall issue
 - B5, trigger issue
 - Speed table addition
 - Possibly adding a condition regarding the uses and then the percentage.
- Also, generally how each Commissioner feels with regard to the application.

Commissioner Heckman's responses to the Chairman's request:

Right-out on Murray—opposed.

Left in from Scholls Ferry—necessity.

Pedestrian pathway width—should be maintained at eight feet whenever possible, no less than six feet.

Mr. Abel's letter of concern—agreed with staff's input on these.

B-1 transportation CUP condition 1a (staff saw no objection)—agree with staff.

B-2, CUP condition 4, 90 degree issue—agree with Gramor.

B3, 40 foot issue, CUP condition 5—agree with staff.

B4, size of parking stall issue—agree with staff.

B5, trigger issue—agree with staff.

Speed table addition—should be added, just to the north of the path going up into the apartment structure.

Possibly add a condition regarding the uses and then the percentages—agree with staff.

Feel very good overall regarding the application. Do not see much transit usage but hope that will develop with the site development. Mr. Heckman did not feel the foot traffic would reach the level projected by the Applicant.

Commissioner Dunham's responses to the Chairman's request:

Overall, Commissioner Dunham noted her excitement about this prospect and the mixed usage of this site which included refurbishing of existing buildings as well as the proposed new buildings.

Right-out on Murray—opposed.

Left in from Scholls Ferry —support.

Pedestrian pathway width—support language of Commissioner Heckman.

Mr. Abel's letter of concern:

B-1 transportation CUP condition 1a (staff saw no objection)

B-2, CUP condition 4, 90 degree issue—agree with staff, one side only.

B3, 40 foot issue, CUP condition 5—support staff recommendation.

B4, size of parking stall issue—stall depth could be altered if something could curb, but reserve decision.

B5, trigger issue-reserve decision.

Speed table addition—note location on the site plan and support Commissioner Heckman's location.

Possibly add a condition regarding the uses and then the percentage—support staff recommendation.

Commissioner Voytilla's responses to Chairman Maks' requests:

Right-out on Murray—opposed.

Left in from Scholls Ferry—support.

Pedestrian pathway width—agree with Commissioner Heckman's wording.

Mr. Abel's letter of concern:

B-1 transportation CUP condition 1a (staff saw no objection)--

B-2, CUP condition 4, 90 degree issue—support staff's recommendation.

B3, 40 foot issue, CUP condition 5—agree with staff.

B4, size of parking stall issue—feel Applicant has provided sufficient pedestrian access.

B5, trigger issue—support revised wording from staff.

Speed table addition—agree should be a condition and as Commissioner Heckman recommended.

Possibly add a condition regarding the uses and then the percentage—concern about too strict a restriction.

Commissioner Voytilla noted that this is a proposal that utilizes redevelopment of existing facilities and new facilities. He liked the overall proposal but noted that there are other options that could be implemented. Noted would have liked to see additional residential units and this might possibly come in future phases. Overall, Commissioner Voytilla stated the Applicant has done an excellent job in their presentation.

Commissioner Johansen's responses to Chairman Maks' requests:

Right-out on Murray—opposed.

Left in from Scholls Ferry —support this.

Pedestrian pathway width—eight feet where possible, not less than six feet.

Mr. Abel's letter of concern:

B-1 transportation CUP condition 1a (staff saw no objection)—support Gramor and staff.

B-2, CUP condition 4, 90 degree issue—support Gramor.

B3, 40 foot issue, CUP condition 5—support staff's recommendation.

B4, size of parking stall issue—keep facility review condition as is.

B5, trigger issue

Speed table addition—agree to add to the application.

Possibly add a condition regarding the uses and then the percentage—language is fine as presented. Concerned about percentages, would support some flexibility, but agree that retail trade does not become more than an excessive percent of the overall development. Commissioner Johansen felt the overall application falls short of what a town center development should look like from an ideal perspective. Location off the main street is a concern. Internal circulation network is a little bit of a concern. A somewhat lower than expected density look at the site, but feel we must look at the market realities. Do agree that it has potential to get to the overall development over time. It does increase density of the site, it provides a mix of uses and it does meet the requirements of the code and would be an asset to the community and possibly serving as a catalyst to the overall community.

Chairman Maks thanked Mr. Grady and Mr. Abel for the good job they did on the presentation. Chairman Maks thanked Mr. Cain for the way Gramor involved and listened to the community and his honest answers. He noted their persistence and willingness to compromise on issues. He noted the benefits such a development will bring to the community. However, he stated that he must represent the total Beaverton area as well as the regional framework and needs which includes an emphasis to develop centers that are more conducive to transit, bicycling and walking as stated in our Code 3.5.8.7. Based on criteria, goals, vision, regional relationship, responsibility and while this application comes close, he stated he felt it failed to meet the criteria and the test. This application is based on a retail center, not a town center. Internal flow is based on the customer and sounds auto oriented, not conducive to transit, bicycling and pedestrians. Chairman Maks noted that the development must be economically feasible and sustainable. He reiterated that the proposal is close but it does not fall within the town center concepts. He stated he felt the application did not meet the criteria of 210.40-1, 6.4.2.11, policies 3.5.8.7 and 6.3.4 and policies 3.5.7.5.

Regarding the specific questions, Chairman Maks responded as follows:

Right-out on Murray—opposed.

Left in from Scholls Ferry —support this. If approved, asked Applicant to work with staff so there is no median problem.

Pedestrian pathway width—support Commissioner Heckman's proposal.

Mr. Abel's letter of concern:

B-1 transportation CUP condition 1a (staff saw no objection)—support Gramor.

B-2, CUP condition 4, 90 degree issue—do not support.

B3, 40 foot issue, CUP condition 5—side with Gramor, do not see as an issue.

B4, size of parking stall issue—support Gramor.

B5, trigger issue—support staff recommendation.

Speed table addition—support Commissioner Heckman's proposal.

Possibly add a condition regarding the uses and then the percentage—support going with the Gramor percentages.

A five minute recess was taken and the meeting reconvened.

Based on the input from the Commissioners, Chairman Maks asked for additional discussion regarding the parking stall issue and the 40 foot access issue. Commissioner Heckman supported the Applicant's request for modification. Chairman Maks agreed with the Applicant. Commissioner Dunham supported Gramor's request. Commissioner Johansen stated it was not a big issue and he could support the Applicant's request. Commissioner Voytilla stated he did support Gramor's position.

Commissioner Johansen MOVED and Commissioner Heckman SECONDED to approve CUP 99003, Gramor Murray Scholls, application based on the facts and findings presented in the staff report dated July 28, 1999 including the recommendations and conditions contained on Page 29, with approval of the Facilities Review Conditions dated July 21, 1999 with the following additions:

Additional transportation condition to restrict access to the site from Murray Road to a right-in access only.

Recommend a left turn access to the site from Scholls Ferry at the westerly access to the site on Scholls Ferry.

The pedestrian path be constructed at a width of eight feet wherever possible and not less than six feet otherwise, subject to resolution with Staff.

That modification to transportation CUP Condition 1a, the sentence that now reads "Off-site Scholls Ferry Road improvements extending to SW Teal Boulevard shall be complete prior to the issuance of the Certificate of Occupancy for the fourth new structure", modification of that sentence to read "the sixth new structure".

Additional condition regarding transportation CUP Condition 6, to be amended as follows, "the sizes of the parking stalls for the head-in parking shall be as depicted on Gramor's site plan dated July 20, 1999."

Additional condition to read as follows, "With each subsequent proposal for this site, the Applicants will demonstrate how the following mix of uses can be achieved at ultimate build-out by presenting to the City a shadow plat. At ultimate build-out, the mix of uses shall be:

Office/service	Not less than 50 percent
Residential	Not less than 25 percent
Retail	Not greater than 25 percent."

That there be a further condition deleting the Facilities Review Transportation BDR Condition 11.C and adding the following Facility's Review CUP Condition 7 as follows: "The Applicant shall construct revisions to the intersection of Scholls Ferry Road and Murray Boulevard to shorten the right turn radius for the right turn movement on the west

bound approach and bring the right turn movement under traffic signal control. Construction shall be completed and accepted by the County prior to site trip generation of approximately 4900 site generated trips per day.”

Further condition, adding a speed table to the access road to Teal Boulevard at the location north of where the existing pedestrian path runs to the Andover Apartments.

The question was called and the motion CARRIED 4-1 with Chairman Maks the only NAY vote.

ADJOURNMENT at 10:52.